



Grievance Procedure

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Engage Liverpool CIC Ltd

Grievance Procedure

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1 Introduction

1.1 It is inevitable that from time to time Employees, Volunteers or Directors, will feel unhappy about aspects of their work due to a host of reasons including: the behaviour of work colleagues, the attitudes of managers or the operation of the organisation's policies. Engage wishes to support Employees, Volunteers and Directors to raise their complaints without fear of reprisal and in a culture where, complaints are taken seriously, individuals are listened to and everyone strives to work co-operatively to resolve issues as they arise. Within this environment most complaints can be informally responded to in ways that are satisfactory to all parties involved.

1.2 However there may be occasions when the Employee, Volunteer or Director considers that their complaint has not been responded to sensitively or effectively. In these instances the formal grievance procedure can be used to seek resolution. Common examples of issues likely to be raised as grievances include: the working environment; supervisory practices; personality clashes and other inter-employee disputes; behaviours of managers, other Employees, Volunteers or Directors e.g. harassment, bullying; refused requests; problems with pay; perceived inequalities in treatment or implementation of organisational change.

2 Principles

- This policy applies to Engage employees, self-employed workers, volunteers and Directors. In cases of complaints being made by external persons, then the Complaints Policy applies
- Complaints and grievances will be handled fairly and efficiently and aim to contribute to good working relationships, reflecting an open organisation that addresses work place issues
- All complaints should be taken seriously and efforts made to resolve informally to the satisfaction of each party involved, this informal resolution should always be the starting point
- In instances where the complainant is dissatisfied with the initial response then encouragement should be given to formalise their complaint using this policy, the complaint then becomes a grievance
- The resolving of a complaint or grievance is the overall aim of the organisation and will be viewed as an opportunity for the organisation and/or an individual employee, volunteer or Director to learn and develop
- The complainant has the right to be accompanied and/or represented by a person of their choice in any informal or formal stage of making a complaint or grievance
- The complainant will not be victimized or treated differently in any way because they have made a complaint or grievance
- This policy should not be used for appeals against disciplinary action, instead the appeals process within the Disciplinary Policy should be used. However if an Employee, Volunteer or Director has a grievance about someone involved in the disciplinary procedure then this policy will apply and as appropriate the disciplinary procedure will be put on hold until the grievance has been addressed.
- This policy and procedures will be in line with relevant legislation and good employment practice i.e. The Employment Rights (Dispute Resolution) Act (1998); The Public Interest Disclosure Act (1998); The Data Protection Act (1998); The Employment Relations Act (1999); The Employment Act (2002)

3 Procedure

3.1 Good practice in operating grievance procedures

The following summarises good practices in operating grievance procedures that everyone including Employees, Volunteers and Directors can contribute to as appropriate to their role:

- Ensuring that the organisational climate and culture is a supportive one
- Employing good day-to-day management practices, e.g. consulting fully over proposed changes
- Making special allowances for individuals who are disabled or whose first language is not English
- Following the grievance procedure
- Investigating complaints fully
- Taking notes of investigations and meetings and keeping accurate records
- Answering all aspects of the grievance
- Identifying root causes
- Identifying any constraints on possible solutions e.g. budgetary constraints, limits of managerial authority, precedents set in prior similar cases
- Thinking through the consequences of chosen solutions
- Being prepared to acknowledge and learn from mistakes
- Agreeing and implementing workable solutions
- Ensuring other necessary follow-up action is taken
- Publicising successes
- Reviewing the situation after an appropriate time interval

4 Informal Discussions

4.1 If an Employee, Volunteer or Director has a complaint about any aspect of their work they are encouraged to initially discuss this informally with their supervisor/team leader or in the case of a Director, the Chair. The aim of informal discussions is to resolve the matter speedily and sensitively in ways that support good working relationships.

4.2 The complainant may be represented or accompanied by someone of his or her choice at the informal stage or any subsequent grievance stage. ACAS recommend that where both parties agree i.e. the complainant and/or their supervisor or team leader, they may opt to have a facilitator from within the organisation to support them to resolve the matter through informal discussions.

4.3 A written record of these informal discussions and any plans to resolve including timescales should be made and agreed by the complainant and their supervisor, team leader or the Chair.

5 Exceptions to the above

5.1 There may be some exceptions to this informal procedure, which are as follows:

- The employee/volunteer may raise a complaint directly with more senior staff if it: concerns their immediate manager or is too personal or of a sensitive nature to raise with their immediate manager.
- Complaints, therefore, about an Employee's or Volunteer's immediate supervisor, team leader, manager or a Director that concern bullying, discrimination etc may be raised directly with a more senior manager or a Director and can be done either informally or straight in at a formal stage
- If the complaint concerns an alleged wrong doing or criminal offence by persons within the organisation this should be raised immediately with the Chair and/or a Director

6 Formal stages

6.1 In instances where the complainant feels that the complaint has not been resolved satisfactorily through informal discussions then they are encouraged to raise the matter formally. At this point their complaint becomes a grievance and should be referred to as such. The exceptions listed in section 2.3 also apply to the formal grievance stages. All grievances should be communicated to the Chair of the Board.

6.2 The complainant will always be informed of their right to be represented and/or accompanied by someone of their choice; details of these arrangements should be given to the supervisor or team leader in advance of any formal meeting.

6.3 The organisation, in its aim to achieve fair and speedy resolution of grievances, will encourage and support the involvement of third parties, as agreed by everyone involved, in order to support the process for example:

- the presence of another senior member of staff or Director to witness the formal discussions and take notes on behalf of the meeting; and
- the option of having an internal or external facilitator or mediator to support them to resolve the matter in the formal stages, as recommended by ACAS

7 Step One: Written statement

7.1 Following informal discussions that have been unable to resolve the matter satisfactorily, the complainant should set out his/her grievance in a written statement. This should be submitted within two weeks of the final informal discussion. The complainant should keep their own copy, send copies to their supervisor /team leader and the Chair with the Notification of Grievance Form attached. The purpose of attaching the Notification of Grievance Form is to ensure that it is clear that the complaint has now become a grievance and formal stages are beginning. The written statement should include:

- the full reasons for the grievance
- the steps they have taken so far to resolve it
- have any copies of paper work related to the matter attached

7.2 The supervisor/ team leader will acknowledge receipt of the letter within one week and arrange to meet the member of staff within two weeks, where reasonably practical, to discuss the grievance. In the event of the supervisor/team leader being absent then the Chair will be responsible for acknowledging receipt and co-ordinating a date for the first formal meeting. The meeting should be at a reasonable time and location for all parties, all of whom have a duty to attend and ensure adequate time and the comfort of all involved e.g. time for breaks and available refreshments.



8 Step Two: Meeting

8.1 The meeting should be attended by the complainant, their representative, their supervisor/ team leader and any relevant witnesses, in addition there should be a Director present, as agreed by both parties, to witness proceedings and make notes on behalf of the meeting. Both parties may also use the option of an internal or external facilitator or mediator.

8.2 The aim of this meeting is to:

- Listen to and explore the complainant's grievance in an atmosphere of co-operation
- Hear from witnesses and the supervisor/ team leader to enable a full understanding of the grievance
- Jointly consider any written information relevant to the grievance
- Consider options or responses to resolve the grievance to the satisfaction of all parties
- Identify learning and how to take things forward

8.3 It may be necessary to have more than one formal meeting to effectively complete discussions to resolve the grievance; however, all parties should ensure that no more than two consecutive meetings are convened at this stage to avoid unnecessarily protracted discussions.

8.4 After the formal meeting the supervisor/team leader will inform the employee in writing of the final decision in response to resolving the grievance within 5 working days of the meeting. This should include a brief outline of the grievance considered, the responses planned, timescales and who will be involved. It should also state a date for reviewing the action planned and any learning that needs to be taken forward. The complainant should also be informed of the appeal procedure should they be dissatisfied with the outcome.

9 Step Three: Appeal

9.1 If the employee is still dissatisfied, he or she should tell the organisation that he or she wishes to appeal against the decision or lack of one. The member of staff must then put their grievance into writing to the Chair or an assigned Director who will acknowledge receipt of the letter within one week and arrange a meeting to discuss the appeal within two weeks.

9.2 The meeting should be at a reasonable time and location and the employee has a duty to attend. The employee has a right to be accompanied by a colleague / employee representative.

9.3 After the meeting the employee should be informed of the decision within two weeks where reasonably practical giving the reasons for his or her response **which is final**.

